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2 BILL NO. B-80-09-02
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4 RESOLUTION NO. B-75-80

5 A RESOLUTION approving Fort Wayne
6 Redevelopment Commission's
7 Resolution No. 80-52 for the Civic
8 Center II Renewal Project

9 BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT
10 WAYNE, INDIANA:

11 Section I. That Resolution No. 80-52,
12 Declaratory Resolution - Civic Center II Renewal Project,
13 adopted by the Fort Wayne Redevelopment Commission on
14 July 28, 1980 and approved by the City Plan Commission
15 on August 25, 1980, all as more particularly set forth in
16 said Resolution No. 80-52 on file in the Office of the
17 Fort Wayne Redevelopment Commission and is by reference
18 incorporated herein, made a part hereof and is hereby in
19 all things ratified, confirmed, and approved.

20 Section II. This Resolution shall be in full
21 force and effect from and after its passage and approval
22 by the Mayor.
23

24
25 APPROVED AS TO FORM AND
26 LEGALITY SEPTEMBER 4, 1980.

27 John E. Hoffman
28 JOHN E. HOFFMAN
29 City Attorney

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31 John E. Hoffman
32 Councilman
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Read the first time in full and on motion by Stun, seconded by Burns, and duly adopted, read the second time by title and referred to the Committee Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 9-9-80, the 9 day of September, 1980, at 9 o'clock A M., E.S.T.

DATE: 9-9-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Geo. Zunte, seconded by B. Clark, and duly adopted, placed on its passage. PASSED (YEAS) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GIAQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>NUCKOLS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT, D.</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT, V.</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHOMBURG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 9-23-80

Charles W. Westerman / re
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. B-75-80 on the 23rd day of September, 1980.

ATTEST:

(SEAL)

Charles W. Westerman / re
CHARLES W. WESTERMAN - CITY CLERK

Trivian G. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of September, 1980, at the hour of 2:30 o'clock P M., E.S.T.

Charles W. Westerman / re
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 26th day of Sept. 1980, at the hour of 4 o'clock P M., E.S.T.

Winfield C. Moses, Jr.
MAYOR

BILL NO. R-80-09-03

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN

~~XXXXXXXXXXXX~~ ORDINANCE A Resolution approving Fort Wayne Redevelopment

Commission's Resolution No. 80-52 for the Civic Center II Renewal
Project

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

Mark E. Giacinta

Ben Eisbart

Donald J. Schmidt

5-23-80

DATE CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF THE
FORT WAYNE CITY PLAN COMMISSION


The City Plan Commission of the City of Fort Wayne in executive session on August 25, 1980, having before it a copy of the Fort Wayne Redevelopment Commission's Declaratory Resolution - Civic Center II Renewal Project" adopted by the Redevelopment Commission on July 28, 1980, together with the Urban Renewal Plan referred to therein and the necessary supporting data and all of which having been duly considered, the Fort Wayne City Plan Commission upon motion by Mark Adams, seconded by Phil Baller, and unanimously approved, adopted the following resolution:

WHEREAS, The Fort Wayne Redevelopment Commission has submitted to the Fort Wayne City Plan Commission a Declaratory Resolution adopted by the Fort Wayne Redevelopment Commission on July 28, 1980, designated as "Declaratory Resolution - Civic Center II Renewal Project", together with the Urban Renewal Plan referred to therein and supporting data all as required by the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) and said Declaratory Resolution and Urban Renewal Plan having been duly considered by the Fort Wayne City Plan Commission and found to be in conformance with the Master Plan of Development for the City of Fort Wayne;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that said Declaratory Resolution - Civic Center II Renewal Project and said Urban Renewal Plan conform to the Master Plan of Development for the City of Fort Wayne and said Declaratory Resolution and Urban Renewal Plan are accordingly hereby approved.

BE IT FURTHER RESOLVED that the President of this Commission be and he is hereby authorized to deliver to the Fort Wayne Redevelopment Commission and to the Common Council of the City of Fort Wayne a certified copy of this

resolution which shall constitute the approving order of the Fort Wayne City Plan Commission as required by law approving said Declaratory Resolution - Civic Center Phase II Renewal Project and said Urban Renewal Plan.




Joyce Schlatter, Secretary
Fort Wayne City Plan Commission

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, George Simler, III, President of the Fort Wayne City Plan Commission, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission at an executive meeting of said Commission held August 25, 1980, and as the same appears of record in the official records of the said Plan Commission dated the 25th day of August, 19 80.

Approved:



George Simler, III
President of the Fort Wayne City Plan Commission

DECLARATORY RESOLUTION
CIVIC CENTER II RENEWAL PROJECT

WHEREAS, the Fort Wayne Redevelopment Commission has made investigations, studies, and surveys of various blighted, deteriorated, and deteriorating areas within the City of Fort Wayne, Indiana, and of the causes contributing to the blighting and deterioration of such areas; and

WHEREAS, such investigations, studies, and surveys have been made in cooperation with the various departments and bodies of said City and have been directed toward determining the proper use of land and improvements thereon so as to best serve the interests of the City and its inhabitants, both from the standpoint of human needs and economic values, and as a result of such investigations, studies, and surveys, the Commission has found that the area hereinafter described has become blighted, deteriorated, and deteriorating to such an extent that such conditions cannot be corrected by regulatory processes or by the ordinary operations of private enterprise, without resort to the provisions of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as amended and supplemented) and that the public health and welfare would be benefited by the urban renewal of such area under the provisions of said Act; and

WHEREAS, the Commission now further finds that the area hereinafter described because of the lack of development, cessation of growth, deterioration of improvements and character of occupancy, age and obsolescence, substandard character of the buildings, and other factors which have impaired values and prevented a normal development of the land included in said area or the use thereof, has become under current conditions undesirable for or impossible

of normal development and occupancy; and

WHEREAS, the Commission now further finds (a) that the hereinafter described area within said City has become and now is blighted, deteriorated, and deteriorating to such an extent within the meaning of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as amended and supplemented) that such conditions cannot be corrected by regulatory processes or by the ordinary operations of private enterprise without resort to the provisions of said Act; (b) the public health and welfare would be benefited by the urban renewal of said area under the provisions of said Act; (c) said hereinafter described blighted, deteriorated, and deteriorating area constitutes a menace to the social and economic interests of the City of Fort Wayne and its inhabitants; and

WHEREAS, the Commission has heretofore caused to be prepared maps and plats showing the boundaries of the hereinafter described blighted, deteriorated, and deteriorating area, the location of the various parcels of property, streets, alleys, and other features affecting the urban renewal of such area, indicating any parcels of property to be excluded from the acquisition and the portions of the area which are to be devoted to streets, alleys, sewerage, playground and other public purposes under the Urban Renewal Plan; and

WHEREAS, the Commission has caused a separate appraisal to be made by two (2) independent appraisers of the fair value of each of the parcels to be acquired, and the Commission now finds the estimated cost of acquiring the property in the blighted, deteriorated, and deteriorating area hereinafter described, is not to exceed One Million, Eight Hundred Forty-Seven Thousand, Three Hundred Dollars (\$1,847,300); and

WHEREAS, there was presented to this meeting of the Governing Body of the City of Fort Wayne, Department of Redevelopment, for its consideration and approval, a copy of Urban Renewal Plan for the area comprising the renewal project dated July, 1980 and consisting of 14 pages and 5 exhibits.

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Redevelopment Commission that it hereby makes the findings of fact herein-after set forth and that the following described area in the City of Fort Wayne, Indiana, is found and declared to be blighted, deteriorated, and deteriorating within the meaning of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as amended and supplemented) and which area is bounded and described as follows:

Beginning at the point of intersection of the northerly right-of-way line of Lewis Street and the easterly right-of-way of Calhoun Street;

Thence, westerly along the northerly right-of-way line of Lewis Street to the westerly right-of-way line of Harrison Street;

Thence, southerly along the westerly right-of-way line of Harrison Street to the southerly right-of-way line of Douglas Street;

Thence, easterly along the southerly right-of-way line of Douglas Street to the easterly right-of-way of Calhoun Street;

Thence, northerly along the easterly right-of-way line of Calhoun Street to the point of beginning.

BE IT FURTHER RESOLVED that in all proceedings relating to the urban renewal of the above-described area, the same shall be referred to as the Civic Center II Renewal Project.

BE IT FURTHER RESOLVED that the Urban Renewal Plan for the Civic Center II Renewal Project, dated July, 1980, and consisting of 14 pages and 5 exhibits be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Commission now declares that the above-described blighted, deteriorated, and deteriorating area constitutes a menace to the social and economic interests of said City and its inhabitants and that the urban renewal plan under the provisions of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as amended and supplemented) will be of public utility and benefit, and that the Department of Redevelopment of the City of Fort Wayne will acquire all of such land and interests therein within said boundaries.

BE IT FURTHER RESOLVED that the urban renewal of such area be in accordance with the Urban Renewal Plan for the Civic Center II Renewal Project.

BE IT FURTHER RESOLVED that, pursuant to Section 39.1 of the Redevelopment of Cities and Towns Act of 1953, as amended and supplemented, as follows:

(a) As used in this Resolution for purposes of distribution and allocation of real property taxes, "allocation area" means all of the blighted area included in the description of real estate in this Declaratory Resolution.

(b) Any real property taxes hereafter levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable real property and the allocation area described in the within Declaratory Resolution shall be allocated and distributed as follows:

(1) Except as otherwise provided in this section, the proceeds of such taxes attributable to the lesser of: (i) the assessed value of such property for the assessment date with respect to which the allocation and distribution is made, or (ii) the assessed value of all such property as

finally determined for the assessment date immediately preceding the effective date of the allocation provision of this Declaratory Resolution, shall be allocated to and when collected paid into the funds of the respective taxing units.

(2) Except as otherwise provided in this section, real property tax proceeds in excess of those described in clause (1) of this section shall be allocated to the Commission and when collected paid into a special fund which shall be used by the Commission only to: (i) pay the principal and interest of and interest on any obligations incurred by the Commission for the purpose of financing or refinancing the redevelopment of the allocation area; or (ii) reimburse the city or town for expenditures made by it for public improvements in the allocation area, or for rentals paid by it for a building or off-street parking facility in the allocation area under any lease entered into pursuant to I.C. 18-5-5.3.

(3) When the monies in the allocation fund are sufficient to pay when due all principal, and interest, monies in the allocation fund in excess of that amount shall be paid to the respective taxing units in the manner provided in clause (1) of this section.

BE IT FURTHER RESOLVED that a copy of this Resolution together with said Urban Renewal Plan and supporting data be submitted to the City Plan Commission of Fort Wayne for examination by that body and its determination as to whether this Declaratory Resolution and said Urban Renewal Plan conforms to the master plan of development for said City and for its written order approving or disapproving this Declaratory Resolution and said proposed Urban Renewal Plan.

BE IT FURTHER RESOLVED that if an approving order is issued by said City Plan Commission, the same shall be transmitted to the Common Council of the City of Fort Wayne for its approval.

BE IT FURTHER RESOLVED that upon receipt of the written order of approval of said City Plan Commission and the approval of the Common Council of the City of Fort Wayne a notice shall be published in accordance with the requirements of Section 14 of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as amended, Section 18-7-7-14 Burns Indiana Statutes Annotated, 1963 Replacement) fixing a date for the receiving and hearing of remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed project and for the final determination of the public utility and benefit thereof.

ADOPTED at a Special Meeting of the Fort Wayne Redevelopment Commission held July 28, 1980, in the Commission offices on the 8th Floor of the City-County Building, One Main Street, Fort Wayne, Indiana.

FORT WAYNE REDEVELOPMENT COMMISSION


By: 

Robert W. Hutner, President

By: 

Hana L. Stith, Secretary

ATTEST:



Robert P. Turk, Executive Director

DIGEST SHEET

8-80-09-02

TITLE OF ORDINANCE: Resolution approving renewal project

DEPARTMENT REQUESTING ORDINANCE: Redevelopment Commission

SYNOPSIS OF ORDINANCE: A resolution approving Fort Wayne Redevelopment
Commission's Resolution No. 80-52 for the Civic Center II Renewal
Project.

EFFECT OF PASSAGE: Redevelopment of area.

EFFECT OF NON-PASSAGE: Non-redevelopment of area and loss of approxi-
mately five million pledge by private foundations for redevelopment
of area.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No direct cost
to Civil City.

ASSIGNED TO COMMITTEE: Finance